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Date 11-4-09
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Applicant : McKibben, et. al.
Serial No. : 10/731,906
Filed On : 12/10/2003
Title : CONTEXT INSTANTIATED APPLICATION PROTOCOL
Docket No. : LET01-GN005
Examiner : Lie, Angela M.
Art Unit : 2163

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. § 1.97, the Examiner's attention is directed to the references listed on the attached Forms PTO-SB-08A and 08B. A copy of each of the non-patent listed references and foreign patent references is provided.

The references disclosed in this information disclosure statement were brought to the attention of Applicant by a third party. Specifically, Applicant is a party in a pending

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patent litigation related to U.S. Patent No. 7,139,761 (which was identified in paragraph [0001] of the instant application as being a related application) with Facebook, Inc. ("Facebook"). The pending lawsuit is *Leader Technologies, Inc. v. Facebook, Inc.*, No. 1:08-CV-00862 JJF, and was filed November 19, 2008 in the United States District Court for the District of Delaware (the "Court"). The Court has not yet construed any claims and/or claim language of the U.S. Patent No. 7,139,761

During the litigation process, in attempting to identify references that may allegedly anticipate and/or make obvious the claimed invention of U.S. Patent No. 7,139,761, Facebook identified several references. Pursuant to the duty of disclosure, Applicant has identified below those references specifically called to Applicant's attention.

- U.S. Patent No. 5,826,265 to Gary Alan Van Huben, et al.
- U.S. Patent No. 5,930,801 to Brian C. Falkenhainer, et al.
- U.S. Patent No. 6,161,146 to Victor B. Kley, et al.
- U.S. Patent No. 6,289,460 to Mir Hamiragha
- U.S. Patent No. 6,341,291 to Keith A. Bentley, et al.
- U.S. Patent No. 6,584,466 to M. Michael Serbinis, et al.
- U.S. Patent No. 6,732,148 to Julio Estrada, et al.
- U.S. Patent No. 7,062,532 to Mark Edward Sweat, et al.
- U.S. Patent No. 7,089,278 to Elizabeth F. Churchill, et al.
- U.S. Patent No. 7,366,990 to Satyan G. Pitroda
- U.S. Patent No. 7,437,312 to Rajesh Bhatia, et al.
- International Patent Application No. PCT/US2000/010066, published as WO/2000/06220, to Bruce E. Brown, et al.
- Paul Dourish, et al., Presto: An Experimental Architecture for Fluid Interactive Document Spaces, ACM Transactions on Computer-Human Interaction, Vol. 6, Issue 2, 133-61, July 30, 1999.
- Paul Dourish, et al., Extending Document Management Systems with User-

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Specific Active Properties, ACM Transactions on Information Systems, Vol. 18, Issue 2, 140-70, Apr. 30,2000.

- Marlon Pierce, et al., Interoperable Web Services for Computational Portals, Proceedings of the 2002 ACM/IEEE Conference on Supercomputing, Nov. 22,2002.

Additionally, Facebook has requested an *ex parte* reexamination of U.S. Patent No. 7,139,761. In their "Request For Ex Parte Reexamination Under 35 U.S.C. 302-307" (filed on July 2, 2009 and assigned Application No. 90/010,591), Facebook identified several references that they allege anticipate and/or make obvious the claimed invention of U.S. Patent No. 7,139,761. Pursuant to the duty of disclosure, Applicant has identified below those references specifically called to Applicant's attention.

- U.S. Patent No. 6,236,994 to Ronald M. Swartz et al.
- U.S. Patent No. 6,941,313 to Robert Seliger et al.
- U.S. Patent No. 7,346,648 to Robert Seliger
- U.S. Patent No. 6,370,538 to John O. Lamping et al.
- U.S. Patent No. 6,308,179 to Karin Petersen et al.
- U.S. Patent No. 6,434,403 to Michael R. Ausems et al.
- John December, The World Wide Web Unleashed (2d ed. 1995), pages 329-336.

Neither Applicant nor Applicant's undersigned counsel is making any conclusion, suggestion, or otherwise regarding the relevance of any of the references listed above and/or in the attached Forms PTO-SB-08A and 08B as to the pending claims in the instant application.

Neither Applicant nor Applicant's undersigned counsel has reviewed the references identified above in sufficient detail to discern whether any are material to


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patentability of the claims in the instant application. Nevertheless, certain of these references were specifically called to Applicant's attention as possibly being relevant to the subject matter of U.S. Patent No. 7,139,761, and, therefore, potentially relevant to the instant application.

It is to be understood that the present disclosure of art is in no way intended to be a waiver of any arguments or defenses available to the Applicant under the rules of the U.S. Patent and Trademark Office and the statutes of the United States.

Pursuant to 37 CFR § 1.97, the fee set forth in 37 CFR § 1.17(p) is included. The Commissioner is hereby authorized to charge any additional fees that may be required by this paper, or to credit any overpayment to Deposit Account 50-3072.

Respectfully submitted,


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